

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HAMID BANAYAN,

Plaintiff,

v.

DAVID FELDPAUSCH and  
SERCOMBE TRUCKING, LLC,

Defendants.

No. 4:22-CV-00264

(Chief Judge Brann)

**ORDER**

**AND NOW**, this 25<sup>th</sup> day of May 2022, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that Defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) and to strike pursuant to Federal Rule of Civil Procedure 12(f) (Doc. 6) is **DENIED**.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge